

1. On March 30, 2016, the Court held a teleconference with counsel in this matter. At that conference, the Court scheduled an in-person settlement conference beginning at 1 p.m. on Wednesday, April 13, 2016. (Minute Entry, 3/30/2016).

2. The Court instructed the parties that the following individuals are to attend the settlement conference: lead counsel for all parties, the CEOs of Plaintiff and USN, and Defendant Witkowski. (*Id.*).

3. Counsel for USN has conferred with USN's CEO who has indicated that USN's Chief Technology Officer is better positioned to address both the claims at issue in this case, including several computer-related claims, and the potential settlement of the matter.

4. In this regard, USN's Chief Technology Officer, Mark A. Venuto, is himself a significant shareholder of USN and will possess full settlement authority at the judicial settlement conference on April 13th.

WHEREFORE, USN respectfully requests that Mr. Venuto be permitted to attend the settlement conference in lieu of USN's CEO, on the condition that Mr. Venuto possess full settlement authority, and for all other relief just and proper in the circumstances.

Respectfully Submitted,

s/ Jason T. Clagg

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served this 4th day of April 2016, by electronically filing the same with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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